

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

VICKY RODRÍGUEZ TORRES, et al.

Plaintiffs

v.

GOVERNMENT DEVELOPMENT BANK  
FOR PUERTO RICO, et al.

Defendants

CIVIL No. 09-1151 (JAF)

TITLE VII VIOLATIONS, AGE & SEX  
DISCRIMINATION, TORTS

PLAINTIFF DEMANDS A TRIAL BY  
JURY

**MOTION FOR ISSUANCE OF WRITS OF EXECUTION  
REGARDING PAYMENT OF MONETARY SANCTIONS**

**TO THE HONORABLE COURT:**

**COMES NOW** the Government Development Bank (“GDB” or “the Bank”), through the undersigned counsel and respectfully, states, alleges and prays as follows:

1. On February 23, 2010, this Honorable Court entered a summary judgment in favor of the defendants, pursuant to Rule 56 of the Federal Rules of Civil Procedure. See Dkt. No. 267.
2. On March 9, 2010, defendants filed a motion for the imposition of attorney’s fees against plaintiffs and their former attorneys of record. See Dkt. No. 272. On that same date plaintiff filed a Notice of Appeal as to the Final Judgment and other discovery motions. See Dkt. No 270.
3. Plaintiffs did not file an opposition to defendant’s motion for attorney’s fees nor did they request an extension to do so. On April 12, 2010, this Honorable Court granted defendants’ motion for attorneys’ fees and ordered plaintiffs to pay defendants the amount of \$41,416.25. See Dkt. No.278.

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4. On May 4, 2010, plaintiff filed a motion to vacate this Honorable Court's order of April 12, 2010, under Rule 59(e) of the Federal Rules of Civil Procedure and on May 10, 2010 defendants filed an opposition to the same. See Dkt. Nos. 281 and 283.

5. On January 18, 2011, this Honorable Court entered an order granting plaintiff's Motion to Vacate the Court's opinion and order granting defendants' motion for attorney's fees, Dkt. No 278. Essentially, this Honorable Court stated that defendants "filed their motion for attorney's fees prior to the disposition of Plaintiffs' appeal" and pursuant to Local Rule 54(a), "[d]efendants' original motion for attorney's fees has no effect." See Dkt. No. 304.

6. On March 7, 2012, the U.S. Court of Appeals entered a Judgment affirming this Honorable Court Final Judgment and, subsequently, the mandate was issued to this Court and costs were taxed **against plaintiffs** in the amount of \$935.90. See Dkt. No. 319.<sup>1</sup>

7. On March 21, 2012 defendants' filed a motion requesting the reinstatement of the Order granting defendant's requests for attorney's fees, Dkt. No. 278. On March 27, 2012, the Court granted defendants request for attorney's fees in the rounded amount of \$30,000 **against plaintiffs, Cuadros and Meléndez**. See Dkts. Nos. 278 and 315.

8. Finally, on April 10, 2012 the Clerk of this Honorable Court taxed costs in the amount of \$6,549.04 against plaintiffs. See Dkt. No. 317.

9. As of this date, however, neither plaintiffs nor Cuadros and/or Meléndez have complied with Court's order to pay defendants the aforementioned attorney's fees. Also, plaintiffs have neither comply with the U.S. Court of Appeals order regarding taxation of costs in favor of defendants for the amount of \$935.90 and this Honorable Court's Clerk taxation of costs against

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<sup>1</sup>The Costs were granted against plaintiffs, not their former counsel Cuadros and Meléndez.

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plaintiffs in the amount of \$6,549.04. Accordingly, pursuant to 28 U.S.C.A. 1961 plaintiffs, Cuadros and Meléndez owe defendants \$30,000 plus the post judgment interests accrued since the date of the order granting requests for attorney's fees. Plaintiffs owed defendants \$30,000 for attorney's fees plus \$935.90 for costs in appeal and \$6,549.04 for costs before this Honorable Court and the accrued interests.

10. Defendants respectfully request that the Court issue two writs of execution pursuant to Rule of Civil Procedure 69 (a), 28 U.S.C.A., R. 69(a) and Puerto Rico's Rule of Civil Procedure, 51.2, P.R. Laws Ann. tit. 32, Ap. V. The first Writ of Execution shall be issued against plaintiffs, and their former counsel Cuadros and Meléndez ordering the enforcement of the Order to pay defendants \$30,000, plus accrued interest, unless the Court directs otherwise. The second Writ of Execution shall be issued against plaintiffs themselves ordering the enforcement of the Order to pay \$935.90 plus \$6,549.04 for costs in appeal and before this Honorable Court, plus accrued interest unless the Court directs otherwise.

**WHEREFORE**, the GDB respectfully move the Court to issue the writs of execution pursuant to the applicable rules for the execution of payment of attorney's fees and costs.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 13<sup>th</sup> day of December, 2012.

**WE HEREBY CERTIFY** that on this same date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Parties may access this filing through the Court's system. In addition, notice to counsel William Meléndez and counsel Miguel Cuadros will be made through certified and regular mail. Notice to plaintiffs Vicky Rodríguez and Luis R. Maldonado will be made through certified and regular mail. To this effect, on this same date paper copies were

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served by certified and regular mail to plaintiffs, Vicky Rodríguez and Luis R. Maldonado, 650 Sergio Cuevas, Apto. 1911, Condominio Segovia, San Juan, Puerto Rico, 00918; by certified and regular mail to Miguel A. Cuadros Pesquera, Esq., 701 Ponce de León Ave., Suite #215, San Juan, Puerto Rico 00907; and by certified and regular mail to William E. Meléndez Menéndez, P.O. Box 13685, San Juan, Puerto Rico, 00908 and 415 Park Avenue, 15th Floor, Suite 1233, New York, New York, 10022.

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